

DRAFT

Truro Planning Board

Minutes of meeting Tuesday, 1 May 2007 – Truro Public Library

Members present: Nicholas Brown (Chair), Ansel Chaplin, William Golden, Deborah Paine, Karen Snow, Robert Weinstein, William Worthington.

Others attending: John McElwee, Felco, Inc.; Chet Lay, Slade Associates.

Mr. Brown called the meeting to order at 7:02 pm.

1. Minutes

The minutes of the meeting on 10 April were reviewed. Mr. Worthington moved to accept the minutes as written; second by Ms. Paine. Mr. Brown noted that a correction needed to be made at the bottom of page 1, changing the word “fact” to “finding.” The correction was accepted by Mr. Worthington and the Board voted to approve the minutes as corrected. Vote: 6-0-1 (Mr. Chaplin abstaining as he was not present at the meeting).

2. Truro Housing Forum

Mr. Brown noted the handout which had been distributed on the Truro Housing Forum to be held on Saturday, 16 June, 9 am – 1 pm at Montano’s Restaurant and asked if any members of the Board were interested in attending. Mr. Worthington responded first, and Mr. Brown asked if he would report on the proceedings to the Board. Mr. Worthington agreed to do so; Ms. Paine and Mr. Chaplin also expressed their intentions to attend.

3. 2006-015 Julianna Britt – 2 Lot Definitive Subdivision

Representative: Chet Lay, Slade Associates

Mr. Brown asked for a motion to open the public hearing which was made by Mr. Chaplin; second by Mr. Golden. Vote: 7-0-0.

Mr. Brown noted that the agenda indicated that a continuance to 22 May was being requested by the applicant’s attorney, and Mr. Lay stated that the applicant will probably abandon the plan. Ms. Snow moved to continue the public hearing to 22 May; second by Mr. Weinstein. Vote: 7-0-0.

4. 2006-017 John Reis, Inc., 450 Route 6 – 10 Lot Definitive Subdivision Plan

Representative: John McElwee, Felco, Inc.

Mr. Brown asked for a motion to open the public hearing which was made by Mr. Chaplin; second by Mr. Golden. Vote: 7-0-0. Ms. Paine stepped down at this time and sat in the audience.

Mr. McElwee reviewed the revised plan with accompanying photos of Leland cypresses and noted that Mr. Reis hopes to close on the property in June. Mr. Brown then asked for questions and comments from the Board.

Mr. Worthington asked about the use of birch trees around the leach fields, and Mr. McElwee responded that they were to soften and blend with the landscape. There being no other questions from Board members, Mr. Brown asked for questions and comments from the audience.

Ms. Paine, noting that she was speaking as a private citizen and abutter, referred to the communication she had sent to Charleen Greenhalgh, Assistant Town Manager/Planner, after the Planning Board meeting on 10 April. She reiterated that Leyland cypress trees need to be watered regularly in order to grow, that there has been no indication of when the landscaping is to

DRAFT

be done to provide a buffer, and that she and Virginia Donahue, another abutter, want a buffer from the noise, traffic, and dust of the construction process and are requesting installation of a fence to accomplish this. Mr. McElwee responded that Mr. Reis is planning to irrigate but that the landscaping is not likely to be done this year as the road will be under construction. Regarding traffic, he noted that there are only three lots beyond Ms. Paine's property so she won't hear the brunt of all traffic.

Ms. Paine pointed out that there is a difference between plants establishing themselves and thriving, and that traffic will use the cul de sac at the end of the road to turn around. She stated that Virginia Donahue is particularly concerned as the closest abutter and that children are frequently playing in that area.

Mr. Brown then called the Board's attention to the memo from the Assistant Town Administrator/Planner which states that requiring a fence is beyond the Planning Board's authority, but that in the spirit of neighborliness, he would suggest/request that a fence be erected and later dismantled and used to good effect elsewhere on the property. Mr. Worthington agreed that the suggestion/request is appropriate. Mr. McElwee stated that Mr. Reis is not interested in a temporary solution and believes the screening in the plan is adequate. Ms. Paine countered by stating that the concern is that the length of construction is not known and that if Mr. Reis is unwilling to install a fence, he should plant landscaping and water it regularly.

Ms. Snow compared this project to another in which landscaping was considered part of the road construction, stating that she was looking for a way to do the same for this project. Mr. Golden stated that he did not understand the objection to installing a fence which would be a simple solution to the issue. Mr. McElwee responded that a fence is an added expense and that landscaping is being provided to meet the need for screening, also noting that the schedule for planting could be accelerated.

Mr. Brown, stating that he was looking for a compromise, asked Board members if an accelerated planting schedule would be adequate. Mr. Weinstein stated that he was not sure it was adequate and that he was persuaded by the concerns of the abutter. He also expressed concern that there is no timetable for the project. He continued that at the least, the planting should be done at the end of road construction and that he would support requiring that plantings be done and watered as needed to ensure their success.

Mr. Brown asked if the Board was amenable to approving the plan with conditions. Ms. Snow reiterated that plantings should be part of road construction. Mr. McElwee then offered to return to the Board with a construction schedule which will include a timeline for plantings, suggesting that the plantings could be done mid-July to early August. To Mr. Worthington's question as to when he could come back, Mr. McElwee responded that he could return to the next meeting. Ms. Paine asked if the intention was to construct the entire road at once, and Mr. McElwee replied in the affirmative, also confirming a time estimate of 3 to 6 months.

Mr. Brown called the Board's attention to the fact that there is a deadline of 31 May for Board action. Mr. Chaplin posed a question about the name of the road and Yellow Brick Road as the preference. Mr. Worthington moved to continue the public hearing to 22 May for the applicant to bring a schedule for road building and plantings; second by Mr. Golden. Vote: 6-0-1 (Mr. Chaplin abstaining as he was not present at the 10 April meeting). Ms. Paine resumed her seat at the table.

DRAFT

5. Ronald W. Nowlan – ANR Plan

Representative: Chet Lay, Slade Associates

Mr. Lay stated that he was present to request a site visit to determine if the road is adequate, and if it is not, to ask for suggestions from the Board for modifications. Mr. Brown asked for input from Board members. Ms. Snow asked a question regarding a previously approved subdivision plan (Brandon), and Mr. Lay explained that this plan is different from his point of view. Ms. Snow then asked that easements to be staked out prior to a site visit, and Mr. Lay agreed to do so. Mr. Brown, also referring to the Brandon plan, stated that he would like to request an additional buffer, a no-cut zone. The Board agreed to conduct a site visit on Friday, 4 May at 8:30 am.

6. Review of Draft Subdivision Regulations

Mr. Brown asked if it were possible for the Board to complete its review before the next meeting as the Board of Selectmen is anxious to meet. Ms. Snow stated that she thought the review could be completed, and Mr. Brown then asked Ms. Snow if she would lead the discussion. Ms. Snow confirmed that the Planning Board had gone through the entire document and was awaiting additional comments. Ms. Paine, referencing the issue discussed earlier at the meeting, stated that there is an issue related to the Planning Board's authority, or not, to require construction of a fence. Mr. Brown asked that the minutes reflect the Board's question to Mrs. Greenhalgh: Can the Planning Board require a temporary or permanent fence to provide a buffer, and if not, why not, also requesting that Mrs. Greenhalgh explain her interpretation that the Planning Board cannot require a fence. Mr. Worthington pointed out that the draft regulations call for a screening buffer and that the sense of the Board expressed in tonight's discussion is that it is reasonable for the Board to require a fence.

Mr. Chaplin noted another issue raised in the discussion of the Reis application: making landscaping part of road construction. Ms. Snow pointed out that an applicant has two years to construct a road, also noting another question for Mrs. Greenhalgh: Can the Planning Board require a specified time frame for binder to be put on a road? Mr. Brown stated that he was comfortable with the draft regulations as long as the Planning Board can waive any regulation if given a good reason.

Mr. Chaplin moved that for internal purposes, the Planning Board accept the draft regulations except for those areas which raised questions in tonight's discussions; second by Mr. Golden. Vote: 7-0-0. Ms. Snow stated that she would send an e-mail message to Mrs. Greenhalgh on the questions raised tonight.

7. Next Meeting Dates

Mr. Brown informed the Board that that there is not yet a confirmed date for the Work Session with representatives of the Cape Cod National Seashore (CCNS). He also noted that the Planning Board will meet with the Board of Selectmen on 15 May for a presentation by a representative of the Massachusetts State Ethics Commission. Ms. Paine noted that the "shape of the table" group, which includes representatives from the Planning Board, will meet with the Board of Selectmen at 6:00 pm on 22 May and that should not interfere with the Planning Board's regular meeting on that evening.

8. Review of Town Meeting

Mr. Brown thanked Board members, especially Mr. Weinstein, for their work on the affordable housing bylaws approved by the annual Town Meeting on 24 April and noted that many Town Meeting attendees approached members of the Planning Board after the meeting to express their satisfaction. Mr. Brown then asked for and received the Board's authorization to write a letter to the Town Administrator commending the excellent assistance provided by the Assistant Town

DRAFT

Manager/Planner in working through the issues and preparing the affordable housing bylaws. Ms. Paine recommended that a letter from the Board also be sent to the Truro Housing Authority thanking them for their co-sponsorship of the affordable housing bylaws. Mr. Chaplin brought to the attention of the Board a comment made to him at the end of Town Meeting which noted that the Planning Board has now made the entire town, including those areas in the Cape Cod National Seashore, open to affordable housing and stated that he has been wondering how this will impact CCNS. The Board agreed to bring up this topic at the upcoming Work Session with CCNS representatives.

9. Other topics

Mr. Chaplin noted an issue raised in the discussion earlier in the meeting of the Reis application, i.e. site plan review for the construction of each lot in the subdivision and expressed his view that it is a matter that the Planning Board needs to consider in depth.

Mr. Brown asked Board members to develop a list of goals and projects for the coming year that can be discussed and prioritized. Mr. Chaplin mentioned his work with the Building Commissioner on the sign code. Mr. Brown asked for other comments, and there being none, Mr. Chaplin moved to adjourn the meeting; second by Ms. Snow. Vote: 7-0-0.

The meeting adjourned at 8:40 pm.

Respectfully submitted,

Sharon A. Sullivan, Secretary